



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

LPA No.162 of 2020 (O&M)

Date of Decision: 23.05.2025

The Haryana State Warehousing Corporation

...Appellant

Versus

Jagat Singh and others

...Respondents

**CORAM: *HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA*
*HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Deepak Balyan, Advocate
for the appellant-Corporation.

Mr. Pankaj Sharma, Advocate
for respondent No.1.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The challenge in this appeal is to the order passed by learned Single Judge dated 27.08.2018, whereby ***CWP No.17342 of 2016*** preferred by respondent No.1 was allowed and the Review Application preferred by the appellant-Corporation was dismissed.

2. Learned Single Judge has examined the claim of respondent No.1 seeking grant of pay-scale of post of Cook as he was appointed substantively on the said post of Cook but was being granted the pay-scale of Peon, i.e Rs.300-430/- instead of Rs.400-600/- as per notification dated 27.07.1998.

3. Learned counsel for the appellant-Corporation submits that as there was no post of Cook-cum-Godown Attendant-cum-Watchman existing in the Corporation, respondent No.1 was being paid salary of the pay-scale of Peon.



4. However, we find that it is an admitted position that respondent No.1 worked as a Cook and although there was no post of Cook-cum-Godown Attendant-cum-Watchman and the only post available was of Cook, the said post was not deliberately assigned to respondent No.1 though he was selected as a Cook alone. Learned Single Judge has reached to the conclusion that the respondent-Corporation has exploited the writ-petitioner and granted him a lower pay-scale instead of pay-scale available for the post of Cook. The same was at the behest of the letter issued by the Managing Director. Since the post of Cook was available with the pay-scale of Rs.400-600/-, learned Single Judge has allowed the writ-petition, granting the said pay-scale and has quashed the order dated 14.07.2016, whereby the same pay-scale was denied and held the writ-petitioner entitled to all the arrears along-with interest @ 6% per annum.

5. We do not find any reason to differ from the order passed by learned Single Judge and the present appeal is accordingly dismissed.

6. It is informed by learned counsel for respondent No.1 that respondent No.1 has attained superannuation, therefore, it is expected from the appellant-Corporation to comply with the order passed by the Court at the earliest and pay arrears etc. including retiral benefits, if any, within a period of four months.

7. Pending miscellaneous application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

23.05.2025
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No